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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,594	06/14/2001	Patrick N. Sollee	NORT0098US (14529RRUS01U)	6422
7590	01/18/2006		EXAMINER ALAM, UZMA	
Dan C. Hu TROP, PRUNER & HU, HU, P.C. 8554 Katy Freeway, Suite 100 Houston, TX 77024			ART UNIT 2157	PAPER NUMBER

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,594

Applicant(s)

SOLLEE, PATRICK N.

Examiner

Uzma Alam

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 25, 26 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 25, 26 and 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to amendment filed on October 19, 2005. Claims 1-7, 25, 26, and 30-39 are pending. Claims 8-24 and 27-29 are cancelled and claims 30-39 are new. Claims 1-7, 25-26, and 30-39 represent a method for providing telephony services.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7, 25, 26, 30, 31, 33, 34-36, 38 and 39 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Thomas et al. US Patent Publication No. 2002/0184316.

Thomas teaches the invention as claimed including system for MAPI client server communication (see abstract).

As per claim 1, Thomas teaches a method for use in communications involving a first terminal that is coupled to one side of a firewall and network address translator, the method comprising:

sending, by the first terminal, a message identifying the first terminal to a node on another side of the firewall and network address translator (a MAPI client initiates a session with a server; paragraph 0015, 0016, 0021, 0028, 0033-0035);

receiving, by the first terminal, another message from the node, wherein the messages between the first terminal and the node causes creation of a path through the firewall and network address translator (sending messages from a node on one side of a network to another node outside of the network; paragraph 0029, 0033-0035); and

repeatedly sending keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages; paragraphs 0039, 0051).

As per claim 2, Thomas teaches the method of claim 1, further comprising receiving a call request, by the first terminal, from the node over the path maintained through the firewall and network address translator (requesting a call from a server; paragraphs 0033, 0034).

As per claim 3, Thomas teaches the method of claim 1, wherein repeatedly sending the keep-alive messages is based on a timer in the first terminal (paragraph 0039, 0051).

As per claim 4, Thomas teaches the method of claim wherein sending the identifying message comprises sending a registration message to register the first terminal with the node (paragraph 0033).

As per claim 7, Thomas teaches the method of claim 1, further comprising exchanging messages, by the first terminal, with the node over the path maintained through the firewall and network address translator to establish a call session (paragraph 0038).

As per claim 25, Thomas teaches a device capable of being used in communications through a firewall and network address translator, the device comprising:

an interface adapted to exchange messages with a node on another side of the firewall and network address translator, the exchange of messages with the node to create a path through the firewall and network address translator (a MAPI client initiates a session with a server; paragraph 0015, 0016, 0021, 0028, 0029, 0033-0035); and

a controller adapted to repeatedly send keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages; paragraphs 0039, 0051).

As per claim 26, Thomas teaches the device of claim 25, further comprising a timer to determine timing of the keep-alive messages (paragraph 0039, 0051).

As per claims 30 and 35, Thomas teaches the method and device of claims 1 and 25, wherein sending the message and receiving the message are used to perform registration of the first terminal, and

Wherein repeatedly sending the keep-alive messages to maintain the path through the firewall and network address translator is performed for a duration of the registration of the first terminal (pp 0038-0039).

As per claims 31 and 36, Thomas teaches the method and device of claims 1 and 25, wherein maintaining the path through the firewall and network address translator comprises

maintaining a signaling path between the first terminal and the node through the firewall and network address translator (pp 0033).

As per claims 33 and 38, Thomas teaches the method and device of claim 1, wherein repeatedly sending the keep-alive messages to maintain the path through the firewall and network address translator causes a mapping table to be maintained by the firewall and network address translator, the mapping table containing a mapping between an internal address of the first terminal and an external address of the first terminal (pp 0033-0037).

As per claims 34 and 39, Thomas teaches the method and device of claims 33 and 38, wherein timing of repeatedly sending the keep-alive messages is controlled by a timer, and wherein repeatedly sending the keep-alive messages is performed at a periodic interval sufficient to prevent closing of the mapping caused by time-out in the firewall and network address translator.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically taught or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6, 32 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. US Patent Publication No. 2002/0184316 in view of Roach US Patent Publication No. 2002/0037723.

Roach teaches the invention substantially as claimed including using SIP (see abstract).

As per claim 5, Thomas teaches the method of claim 4. Thomas does not teach wherein sending the registration message comprises sending a Session Initiation Protocol REGISTER message. Roach teaches sending the registration message comprises sending a Session Initiation Protocol REGISTER message. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages with the SIP REGISTER message of Roach with sending messages of Thomas. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

As per claims 6, 32 and 37, Thomas and Roach teach the method of claims 5, 31, and 36. Thomas and Roach do not teach wherein sending the registration message comprises sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. Roach teaches sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages to a SIP Proxy of Roach with sending messages of Thomas. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

Response to Arguments

Applicant's arguments filed October 19, 2005 have been fully considered but they are not persuasive.

Applicant argues that the reference cited, Thomas US Patent Publication No. 2002/0184316 does not teach or suggest a first terminal to cause creation of a path through a firewall and network address translator and repeatedly sending keep-alive messages to maintain the path through the firewall and the network address translator.

Applicant argues that in Thomas, the client repeatedly initiates a session and therefore a session is not maintained. Thomas, however teaches a periodic initiation of a communication session by the client. The client informs the server of its address in location, see paragraph 0033-0036. This is analogous to the first two limitations of claim 1 where a first terminal sends a message identifying the first terminal to a node on another side of the firewall and network address translator and receiving by the first terminal, another message from the node, wherein the messages between the first terminal and the node causes creation of a path through a firewall and network address translator. In Thomas, the client is the "first terminal" of the claim because it initiates the session with the server. The client sends a UDP packet to a server, or "a node on the other side of the firewall and network translator" and said in the claim, and identifies itself to the server. See paragraph 0038-0039

Once this session is established, for the client and the server to stay in communication so that the server can notify the client of any new events, the client must send initiate requests at periodic or repeated intervals. See paragraphs 0015, 0016 and 0056. The client sends these

messages to the server so that during a communication session, the server always know how to connect with the client, which is located behind a firewall and network address translator. See paragraph 0038 and 0039 of Thomas. The client sends the server initiation requests so that the server notifies the client of any new events during the session. The client sends initiation requests to the server so that the server can stay connected to the client. See paragraphs 0038-0039, 0048, 0051 and 0056. This means that the client periodically sends initiation requests so the server can stay connected with the client, or “maintain a path through the firewall and network address translator” as stated in the claim.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

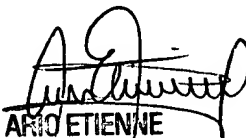
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam
Ua
December 27, 2005


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